

MINUTES
OF THE REGULAR MEETING OF THE
EDINA HUMAN RIGHTS & RELATIONS COMMISSION
January 22, 2013
7:00 PM

I. *CALL TO ORDER*

Chair Kingston called the meeting to order at 7:07 PM.

II. *ROLLCALL*

Answering roll call were Commissioners Bigbee, Finsness, Newell, Seidman, Stanton, Winnick and Chair Kingston, and Student Members Mohtadi and Stang. Staff present: Lisa Schaefer, Staff Liaison and Ari Klugman, City Manager Intern.

III. *MEETING AGENDA APPROVED*

Motion was made by Commissioner Stanton to approve the meeting agenda of the January 22, 2013 meeting. The motion was seconded by Commissioner Bigbee.

Ayes: Bigbee, Erhardt, Finsness, Kingston, Newell, Seidman, Stanton, Winnick.
Motion carried.

IV. *CONSENT AGENDA ADOPTED*

IV. A. November 27, 2012 Minutes

Motion was made by Commissioner Seidman and seconded by Commissioner Bigbee to approve the November 27, 2012 minutes.

Ayes: Bigbee, Finsness, Kingston, Newell, Seidman, Stanton, Winnick.
Motion carried.

V. *COMMUNITY COMMENT*

There were no community comments.

VI. *REPORTS AND RECOMMENDATIONS*

A. 2013 Meeting Schedule

Commissioner Finsness made a motion and Vice Chair Seidman seconded the motion to cancel the December 26th meeting.

Ayes: Bigbee, Finsness, Kingston, Newell, Seidman, Stanton, Winnick.
Motion carried.

Chair Kingston pointed out that the Commission had previously made a decision to change the March meeting to March 19, 2013.

Motion was made by Commissioner Newell and seconded by Commissioner Bigbee to adopt the 2013 meeting schedule.

Ayes: Bigbee, Finsness, Kingston, Newell, Seidman, Stanton, Winnick.
Motion carried.

B. Assess 2012 Commission Work

Chair Kingston congratulated the Commission on a hard year's work; the Commission will evaluate the 2012 work plan and decide what to carry over to the 2013 work plan.

Domestic Partner Ordinance

Commissioner Stanton explained this is no longer just a local government issue; there may be bills at the state level for domestic partner benefits.

Chair Kingston clarified what is currently on the 2012 work plan was for contracting preference to be given to companies that offer domestic partner benefits when all else is equal.

Commissioner Winnick suggested the domestic partner ordinance may need to be adjusted from time to time. As more issues come up in this area, and at the state level having a person be the contact could be helpful.

Commissioner Bigbee suggested a revision to action and due date in light of new developments at the State. It should be revised to say, will monitor the domestic partner ordinance and what is developing and will bring up changes as necessary.

Chair Kingston pointed out the State is not bringing up contracts, and this was put on here to be a focus of the joint work session.

Commissioner Finsness suggested monitoring at all levels.

Commissioner Winnick suggested changing the category to monitor domestic partner ordinance and propose changes to City policy in accordance with domestic partner related developments.

Commissioner Stanton expressed his interest in taking over if there is a broader mission to the category.

Commissioner Bigbee made a motion and Commissioner Winnick seconded a motion to create a broader mission for the monitoring domestic partnership ordinance commission initiative and to accept Commissioner Stanton's offer to lead the broadened objective.

Ayes: Bigbee, Finsness, Kingston, Newell, Seidman, Stanton, Winnick.
Motion carried.

Commissioner Stanton will lead item four and present the contracting information in May at the Joint session with the Council. In April, Commission Stanton will bring forward other issues for us to consider for the Joint Session. At the next meeting Commissioner Stanton will bring forth an idea of what a broader objective in this area would look like.

Initiate Census Research Funding Recommendation

Commissioner Stanton made a motion to remove initiating census research funding in 2013 and replace with community outreach efforts. Vice Chair Seidman seconded the motion.

Ayes: Bigbee, Finsness, Kingston, Newell, Seidman, Stanton, Winnick.
Motion carried.

Commissioner Bigbee asked if Commissioner Stanton and Newell would still be in leading this issue.

Commissioner Newell commented Fartun Weli is planning to report back to us in the upcoming months with what she will need in order to help with outreach. She offered to lead the initiative.

Commissioner Stanton shared an update about the Resolution 2012-178 approved by Council about domestic partner health care benefits. He also offered to talk to legislatures about the resolution at the capital, if the City would like to.

Staff Liaison Schaefer will check with Manager Neal about whether Commissioner Stanton should speak to legislators on behalf of the City about the resolution.

Chair Kingston asked if Commissioner Stanton would like to include this with the first item monitoring domestic partner related issues. The Commission agreed the item would fit with the broader mission.

C. 2013 Work Plan and Budget

Edina Reads

Chair Kingston shared, although all of the items on the 2013 work plan were approved by the Council, the budget for the HRRC was not changed. The Commission has \$3,050 for all activities and needs to prioritize the funds. In 2012, the Commission purchased the books for Edina Reads.

Commissioner Finsness explained the only item left is the Speaker fee for \$150.00. Any other money would be for video and communications. We would need to discuss that with Jennifer.

Chair Kingston suggested capping this at \$500 for video.

Staff Liaison Schaefer stated she would check on the budget. She also clarified the City is in the second year of a two year budget, there could be an additional request made at another date.

Chair Kingston stated we will put down \$150 and pend additional funding for video production.

Developing Cross Organizational Partnerships

Commissioner Stanton stated the \$1,500 for developing cross organizational partnerships was just a place holder at this point and could probably be cut in half.

Commissioner Newell disagreed and said until we hear from Fartun she is hesitant to cut the budget. She wanted to put together a work plan with Fartun, doing it as a request for our group where she would record her hours, etc.

Commissioner Seidman asked if she would be essentially a consultant.

Commissioner Newell said yes, but she has not replied with what she would need in order to do that yet.

Commissioner Finsness suggested we could make a recommendation to the Council to use her expertise and it could come from another source of City funds.

Chair Kingston stated she did not leave the November meeting thinking the Commission had agreed to hire her as a consultant to the Commission.

Commissioner Newell responded at the end of the meeting we asked where we wanted to take this and Fartun said she would put a proposal together we could consider.

Chair Kingston clarified she thought it was what the Commission could do, not that we were hiring her.

Commissioner Bigbee stated if we go to the Council for this, there are partners like the police department and parks and recreation.

Commissioner Finsness proposes leaving the \$1,500 as is today, because we don't have enough information.

Explore support opportunities for victims of domestic violence

Commissioner Newell said she envisioned having someone come in and talk about the needs for victims of domestic violence. There would be no budget associated with the item.

Commissioner Bigbee stated getting more information and data from the police about incidents could be helpful.

Commissioner Seidman suggested a bigger event rather than just the Commission; the Commission could advertise the event to the public.

Days of Remembrance

Chair Kingston shared there are still some unknowns in the budget. She does not know what the space fee for the school would be, and if they would charge a fee for renting the piano. This event is probably going to be over \$1,000 which would put us over budget at this point. They would also need a piano.

Commissioner Finsness asked if there is a date and if a church with a piano and seats, could work.

Chair Kingston said we could look at that but we were trying to keep the venue neutral.

Commissioner Bigbee suggested reaching out to multiple faith groups to get funding for the space.

Chair Kingston stated we are going to have to make a decision pretty quickly about this and where we will spend our dollars, and she was not comfortable fundraising.

Commissioner Finsness stated she believes they paid about \$450 for tech fees and did not pay for the space last time.

D. Appoint leaders for each Commission initiative

Chair Kingston confirmed that all of the initiatives have an assigned leader and leaders would give updates at the next meeting.

E. Discover Human Rights training series by The Advocates for Human Rights

Commissioner Bigbee explained two offers for training for human rights. The first one is from the Advocates for Human Rights. This is a series of four workshops. Each session is half a day. From previous experience, they have been really good. He thought this could be an educational opportunity for commission members and employees.

Chair Kingston shared the last two options are courses that relate to a step by step process for implementation. She will probably be sending some of her City of St. Paul staff, and she will give an update on their experiences.

F. YWCA of Minneapolis Racial Justice Workshops

Commissioner Bigbee shared he is not very familiar with the next option but it would be another opportunity for commission members and city staff.

Staff Liaison Schaefer will share this with all appropriate city staff.

G. LMHRC

Commissioner Bigbee shared his experience working with the LMHRC. He has been working with the group since 2010. He has suggested ways in which the league could be more effective. He recommends that if the City gets an invoice for membership that the City does not continue to be members at this time. He is open to someone else representing HRRC if they want to continue.

Chair Kingston explained her experience with the group over the past two years. Some of the cities who were on the league have left the league or disbanded their human rights commissions. She agrees with Arnie and his experience and would support moving away from the league for 2013.

Commissioner Bigbee moved and Commissioner Winnick seconded a motion to suspend the commission's membership with the LMHRC to be revisited next year.

Ayes: Bigbee, Finsness, Kingston, Newell, Seidman, Stanton, Winnick.
Motion carried.

H. Present Tom Oye Award nominations

Commissioner Winnick shared that the Commission received five nominations for the Tom Oye Award. Two nominations were for the same candidate, and one nomination was for two co-nominees resulting in five nominees.

Commissioner Winnick made the motion and Commissioner Seidman seconded the motion accepting the nominations.

Ayes: Bigbee, Finsness, Kingston, Newell, Seidman, Stanton, Winnick.
Motion carried.

Commissioner Winnick moved to formally establish a two year cycle for all nominations not selected as a recipient of the award, without any further work on the nominee's part. When

the thank you letter goes out to all nominees and nominators announcing the award recipient, they should also be informed of the two year cycle. Commissioner Seidman seconded the motion.

Ayes: Bigbee, Finsness, Kingston, Newell, Seidman, Stanton, Winnick.
Motion carried.

Commissioner Winnick made a motion to move the nomination deadline date to before the January meeting, so discussions can take place at the February meeting, and the final action at the March meeting. Commissioner Bigbee seconded the motion.

Commissioner Finsness stated she still feels she would have trouble making a determination without more detailed criteria.

Chair Kingston stated the Commission had previously determined they will not be establishing further criteria during this award cycle.

Ayes: Bigbee, Kingston, Newell, Seidman, Stanton, Winnick.
Abstain: Finsness

Motion carried.

Commissioner Winnick stated they should formalize the voting process. **Commissioner Winnick made a motion that the vote be held like any other vote of the Commission, by individual vote of the Commissioners present, majority rule. Commissioner Stanton seconded the motion.**

Commissioner Finsness stated she would like her comments to be considered, because she feels you cannot vote up or down this many people without running into ties. She feels very uncomfortable voting on five individuals who are all very well qualified without the Commission having common definitions of what the criteria is. She didn't vote last year and will not vote again, because she feels all of the nominees meet the criteria.

Chair Kingston stated the application does have criteria listed. The Commission has discussed having a rubric many times. In September, the Commission decided to table the rubric or modifying the criteria until after the 2013 Tom Oye Award cycle is finished in April.

Commissioner Newell asked for Commissioner Winnick to state the current criteria that is on the form. Commissioner Winnick shared the following selection criteria.

Selection Criteria

Anyone who lives or works in Edina is eligible for this award. Nominees will be evaluated based on their efforts to:

- (1) Foster respect and dignity for others
- (2) Model courage and/or compassion in the advancement of human rights
- (3) Demonstrate leadership by example for improving human relations and/or advancing human rights

Chair Kingston stated this has gone on for a number of months and we already decided the issue is tabled until May. She does not want the Commission to spend more time on something that

has already been voted on and discussed many times. If a member chooses to not participate in this process, that is his/her choice.

Commissioner Newell asked if stated everyone was comfortable with what the criteria mean.

Commissioner Stanton explained he has participated in a lot of democratic bodies, and you cannot reduce everything to a totally objective decision. There is a place for subjective evaluation.

Commissioner Newell pointed out there is a description which outlines criteria, there just seems to be some discomfort with what the criteria means. The description is the basis of what a rubric would be to go any further would mean we all have different definitions of these terms.

Commissioner Seidman agreed with Commissioner Stanton. She stated it feels bad to pick one winner, but eventually we need to make a decision. The rubric was on previous agendas, but no specific rubric was ever brought forward for consideration, and they needed to move forward with the nomination process.

Commissioner Bigbee shared they are all good candidates, it is a choice and it does reflect us as a group, culture and society. The real goals are to lift up someone in our community and acknowledge them.

Commissioner Winnick stated he felt deference has been given by the chair to discuss this again because this has already been decided on by the Commission for this year. We have an approach and by majority vote it can go forward. What we have to remember is that our nomination has a tremendous effect on the winner.

Commissioner Newell shared she felt the difference is how we are interpreting. For Commissioner Finsness, the award is a property right. Commissioner Newell asked why we needed to have one winner.

Commissioner Seidman moved to call to question and Commissioner Stanton seconded the motion.

Ayes: Bigbee, Kingston, Seidman, Stanton, Winnick.
Nays: None.

Motion carried.

Return to original motion regarding voting.

Ayes: Bigbee, Kingston, Seidman, Stanton, Winnick.
Nays: None.
Motion carried.

I. Present Chair and Vice Chair nominees

Commissioner Winnick shared they have one Commissioner willing to stand for Chair, Commissioner Bigbee and one Commissioner willing to stand for Vice Chair, Commissioner Seidman.

Chair Kingston clarified there will be a discussion at next month's meeting and they will allow any nominations from the floor, then the Commission will vote. If we have a contested race, each person can speak for no more than three minutes.

Commissioner Winnick reminded the group, if the race is contested, it will be by ballot signed by the voter.

Chair Kingston reminded the group they will also have an opening for administrative chair. After the Chair and Vice Chair has been concluded they will need to choose a new administrative chair.

J. 2013 Work Plan

Edina Reads

Commissioner Finsness asked to allow time to talk about the Edina Read's book.

Commissioner Bigbee asked to put it on the agenda for next meeting for 20 minutes.

Commissioner Finsness shared the League of Women voters is on board to help with publicize the event.

Student Commissioner Stang shared that she talked to some parent groups about including the book in the spring newsletters; she will also be distributing posters around the school for the event.

Commissioner Finsness said one Edina teacher is having her whole class read the book.

Days of Remembrance

Chair Kingston explained she is trying to pick a day with Janet Horvath and wanted to know whether or not a Saturday or Sunday performance would work.

Commissioner Seidman shared two years ago, the event was held on a weekend and we had a good turnout.

Commissioner Finsness asked if there is a difference in cost or availability with the school.

Commissioner Winnick asked if it was enough for a program.

Chair Kingston shared Janet speaks and there are pictures. She normally leads a discussion afterwards. She believes Janet has only performed the piece three times before. Chair Kingston asked if the Student Commissioners Stang and Mohtadi would want to help with the event. Both Commissioners agreed.

VII. *REPORTS/RECOMMENDATIONS*

CORRESPONDENCE AND PETITIONS

Chair Kingston shared there was one correspondence that came to the Mayor, and may work well with the monitoring domestic partner ordinance work plan item. It is about gender expression being included in our definition of human rights.

Commissioner Bigbee asked if the phrase 'gender expression' is common terminology.

Commissioner Winnick stated right now the policy reflects the State Statute. He is going to look into whether transgender has been interpreted and included under sexual orientation.

Staff Liaison Schaefer shared our policy does reflect state statute and in employment law sexual orientation has been interpreted to include transgender. That doesn't mean the Commission couldn't recommend to the Council to change the terminology.

Commissioner Stanton stated our policy has not always matched up with the law.

Chair Kingston stated I am not sure if the transgender community would feel they belong under sexual orientation. In the past, Outfront Minnesota has talked to us about labeling single stall bathrooms as unisex, but this has not been on their list.

Commissioner Newell and Winnick will both reach out to the writer. Commissioner Stanton will talk to Outfront Minnesota.

VIII. CHAIR AND COMMISSION MEMBER COMMENTS

Commissioner Bigbee shared several publications and said he has a lending library if anyone would like any reading material.

Commissioner Seidman asked about recruitment for the boards and commissions. Applications are due on February 1 at 4:30 pm.

Commissioner Stanton asked about how term limits work, and if there is a break between serving years if they can come back. Staff will check on that information and get back to the Commission.

Commissioner Finsness shared she has received a human rights kit to help teach human rights. The Commission will allocate around 15 minutes on the March meeting.

IX. STAFF COMMENTS

Staff Liaison Schaefer reminded the group about the electronic packet and asked the Commission to let us know if you would like a paper copy.

X. ADJOURNMENT

There being no further business on the Commission Agenda, **Commissioner Bigbee moved and Commissioner Seidman seconded adjournment of the meeting.**

Ayes: Bigbee, Finsness, Kingston, Newell, Seidman, Stanton, Winnick.
Motion carried.

Chair Kingston declared the meeting adjourned at 9:17 PM.

Respectfully submitted,

Minutes approved by HRRC, February 26, 2013

Ari Klugman, City Manager Intern

Jessi Kingston, HRRC Chair